

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEROME DALE FOLLET, SR.,

Defendant.

CR-16-12-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 26, 2021. (Doc. 70.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 24, 2021. (Doc. 65.) The United States accused Follet of violating his conditions of supervised release 1) by failing to report for substance abuse testing; 2) by failing to report for substance abuse treatment; 3) by failing to report for mental health treatment; 4) by consuming alcohol; and 5) by committing two other crimes. (Doc. 62.)

At the revocation hearing, Follet admitted to violating the conditions of his supervised release 1) by failing to report for substance abuse testing; 2) by failing to report for substance abuse treatment; 3) by failing to report for mental health treatment; 4) by consuming alcohol; and 5) by committing the crime of Partner Family Member Assault. (Doc. 65.) Judge Johnston found that the violations Follet admitted proved to be serious and warranted revocation, and recommended that Follet receive a custodial sentence of 5 months, with 16 months of supervised release to follow. Judge Johnson also recommended that Follett should receive credit for time served. (Doc. 70.) Follet was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 65.) The violations prove serious and warrant revocation of Follet's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 70) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Jerome Dale Follet, Sr. be sentenced to the custody of

the United States Bureau of Prisons for 5 months, with 16 months of supervised release to follow. Follet should receive credit for time served.

DATED this 14th day of April, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court